

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JACQUELINE ROJAS, ADRIAN LOPEZ, Case No. 7:17-CV-05825(KMK)
DANIELLE CARPENTER, ROSALIA CALIXTO,
EDWIN TLATELPA (a minor, by Dolores Tlatelpa, his
Mother and Natural Guardian), and DEYSI TLATELPA,
on behalf of themselves and others similarly situated,

Plaintiffs,

- against -

BRONX MOON LLC d/b/a BLUE MOON
MEXICAN CAFÉ, BLUE MOON MEXICAN
CAFÉ LLC, and HOWARD FELIXBROD and
JEFF LEWIS, Individually,

Defendants.
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STIPULATION AND ORDER OF DISMISSAL
OF CLAIMS WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Defendants (collectively, the "Parties"), through their undersigned attorneys, that the Parties have agreed to amicably resolve any and all claims by Plaintiffs against Defendants in this action alleging violations of the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* ("FLSA") and the New York Labor Law §§ 190 *et seq.* and §§ 650 *et seq.* ("NYLL"), and have further agreed to authorize their undersigned counsel to stipulate, consent, and agree to dismiss all claims in the instant action with prejudice, including Defendants' counterclaim for attorneys' fees. The terms of the Parties' Settlement Agreement have been reviewed and approved by the Court. No attorneys' fees or costs will be awarded to any party by the Court, except as provided therein.

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Dated: 10/30/18

Dated: _____

The Court hereby approves the settlement of all of the FLSA and NYLL claims in this action, with prejudice, *after considering all the Charles factors.*

SO ORDERED this 30th day of October, 2018



Honorable Kenneth M. Karas, U.S.D.J.